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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,826	12/07/2000	Natascha Kearsey	19111.0045	8609

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EXAMINER

RIMELL, SAMUEL G

ART UNIT

PAPER NUMBER

2175

DATE MAILED: 03/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,826

Applicant(s)

KEARSEY ET AL.

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:


SAM RIMELL
PRIMARY EXAMINER

Art Unit: 2175

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-15 are, as best as can be understood, rejected under 35 U.S.C. 102(e) as being anticipated by Dalal ('999).

Claim 1: Col. 1, line 60 defines a query processor associated with a database. The database has a number of tables as seen in FIGS. 1-2. The query processor receives input from a user indicating what types of data are to be obtained. Using this data, a query is then generated (col. 2, lines 24-25) to cause the database to aggregate data within a given table, or aggregate data within different tables. Once the query is generated, the aggregation step is performed and data is aggregated to form a results table (FIG. 2).

Claim 2: As seen from the query in col. 2, lines 24-25, specific selected data (sales price) are aggregated from an orders table (FIG. 1) to produce an aggregation of data (FIG. 2).

Claim 3: Any table within the database, or record within the table, reads as a “complex folder”. Any view of the data, such as a table, reads as an “in-line view”, lacking any further detail on what makes a folder “complex” or what makes a view “in-line”.

Claim 4: The aggregation performed in FIGS 1-2 are based upon summation, but each of the types of aggregation described in claim 4 are outlined at col .2, lines 9-11 of Dalal.

Claim 5: The query processor is part of a computer system (FIG. 3). The input device on the computer system can be a storage device such as the hard drive (31) shown in FIG. 3, or a keyboard for direct user input.

Claim 6: The query shown in col. 2, lines 24-25 is derived by the having the user select items from a list of possible items to aggregate. The list of possible items are the columns shown in FIG. 1. In the example, the user chose to aggregate the sales price, which is one of a list of possible items to aggregate.

Claim 7: The query in col. 2, lines 24-25 is an SQL query (also see col. 2, line 20).

Claim 8: FIG. 11 illustrates an application of the query processor in which three different tables are aggregated into a single table.

Claim 9: See remarks for claim 1. With respect to the claimed “database”, FIG. 3 also illustrates an exemplary computer system which includes a database system, database processors (23, 24, 25) within the database system and a data store (31).

Claim 10: The database system includes the processors (23, 24, 25).

Claim 11: See remarks for claim 2.

Claim 12: See remarks for claim 3.

Claim 13: See remarks for claim 4.

Claim 14: See remarks for claim 5.

Claim 15: See remarks for claim 6.

Remarks

The rejection of claims 3, 4, 6, 7, 8, 10, 12, 13, 14 and 15 have been withdrawn in light of applicant's arguments and amendments.

With respect to the rejection of claims 1-15 under 35 USC 120(e) as being anticipated by Dalal, applicant's arguments have been considered.

Applicant presents four basic arguments, each of which will be addressed individually:

(1) Applicant argues that Dalal does not disclose a query generator, but rather discloses a query processor. However, both of the independent claims 1 and 9 specify that the query generator "comprises a processor". In other words, the query generator and the query processor can in fact be the same structure. Note also that in applicant's invention the query generator is a processor (7).

(2) Applicant argues that Dalal does not disclose determining whether input requires a joining of data from different tables, and that Dalal only discloses joining data from a single table. However, FIG. 11 clearly illustrates the aggregation of data from different tables (level 1 tables) into a single (level 2) table. The aggregation is based upon the user input of a SQL query.

(3) Applicant argues that Dalal does not disclose generating a query. The query generation described in applicant's invention (page 7, lines 1-10 of the specification) is the process having the user generate a specific query by entering query information. This is exactly

Art Unit: 2175

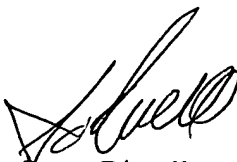
what occurs in Dalal, where the user generates a specific query by entering query information, such as which columns of information to aggregate.

(4) Applicant argues that Dalal does not disclose aggregating data within multiple tables. However, this is clearly illustrated in FIG .11.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.


Sam Rimell
Primary Examiner
Art Unit 2175